



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/781,776

02/20/2004

Chun-I Hsiao

TAIW 215

3742

7590

09/07/2004

RABIN & BERDO, P.C.

Suite 500

1101 14 Street, N.W.

Washington, DC 20005

EXAMINER

NGUYEN, THONG Q

ART UNIT

PAPER NUMBER

2872

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/781,776	Applicant(s) HSIAO, CHUN-I	
	Examiner Thong Q Nguyen	Art Unit 2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/20/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings contain four sheets of figures 1-8 were received on 2/20/2004.

These drawings are approved by the Examiner.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
3. The disclosure is objected to because of the following informalities: Page 4: line 3, "125 degrees" should be changed to --135 degrees-- (see page 2, lines 13-14 and fig. 1, for example). Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 7-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

a) Claim 7 is rejected under 35 USC 112, first paragraph because the specification does not disclose a body having a first reflector connecting to the

Art Unit: 2872

incident end and to the first junction surface wherein the body comprises a first device and a second device as claimed.

Applicant is respectfully invited to review the present specification in pages 3-5 and figs. 1-8 in which the application discloses two embodiments of the body. In the first embodiment as described in pages 3-4 and shown in figs. 1-4, the body comprises a first device and a second device wherein each device comprises two reflective surfaces and a touching surface wherein the first and second device are arranged in touch to each other. In this embodiment, the first reflector is not connected to the incident end of the body. In the second embodiment as described in page 5 and shown in figs. 5-8 the first reflector is connected to the incident end; however, in this embodiment the body comprises a single piece/unit and does not have any touching surfaces.

b) The remaining claims are dependent upon the rejected base claim and thus inherit the deficiency thereof.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Meier (U.S. Patent No. 5,583,428).

Art Unit: 2872

Meier discloses an optical device for guiding light. The device as described in column 3 and shown in figure 2 comprises a body a first prism (5) attached to a second prism (1'). The first prism (5) comprises an entrance surface (51) and an emergent surface (52) and a diagonal surface wherein a reflection layer (6) is formed. The second prism (1') comprises four reflecting surfaces (F1, F3, F5, F7) and junction surfaces (F2, F8). The light enters the body via the entrance surface (51) will be guided to the emergent surface via the reflections on the reflective surfaces (F3, F5, F7, F1). The reflective surface (F1) is considered as the first reflector, the reflective surface (F3) is considered as the second reflector, the reflective surface (F5) is considered as the third reflector and the reflective surface (F7) is considered as the fourth reflector. It is noted that the first reflector (F1) is connected to the entrance surface (51) and to the junction surface (F2) at an angle of 135 degrees wherein the junction surface (F8) is connected to the emergent surface (52). The second reflector (F3) is connected to the emergent surface (52) and the third reflector (F5) at an angle of 90 degrees. The junction surface (F6) connects the third reflector (F5) and the fourth reflector (F7) at an angle of 135 degrees. The fourth reflector is connected to the entrance surface (51). Regarding to the connection between the reflector and the entrance (or emergent or junction) surface, it is noted that the claim has not provided any specific limitation(s)/feature(s) related to the connection. In the system of Meier, the entrance surface (51), the emergent surface 952) and the first reflector (F1) is formed as a block which block is attached/touched to the block contained the

Art Unit: 2872

reflectors (F3, F5, F7) and other surfaces (F2, F4, F6, F8). The surface (F2) and the emergent surface (52) are in the same plane or extended line passing through both. The similar structure as mentioned above is also applied to the surface (F8) and the entrance surface (51).

Regarding to the illumination source, while Meier does not clearly state the light (LE) is emitted from a light source; however, such a light must be provided by a light source and the present claim do not provide any specific limitation(s) related to the type of illumination source.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meier.

The optical device as described above comprises an entrance surface and an emergent surface which each surface has a planar configuration. Meier does not suggest that the surface has a convex configuration as claimed. However, such use of a convex configuration for the entrance or emergent surface as claimed is merely that of a preferred embodiment and no criticality has been disclosed. The support for that conclusion is found in the present claims 3 and 5 in which applicant has admitted that the entrance or emergent surface is a planar

Art Unit: 2872

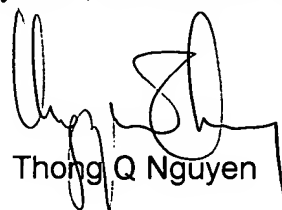
configuration. Further, the use of a curved configuration including a convex configuration for an entrance or emergent surface of a prism for the purpose of focusing or correcting image aberrations is known to one skilled in the art. Thus, absent any showing of criticality, it would have been obvious to one skilled in the art at the time the invention was made to modify the prism system provided by Meier by using a convex configuration on the entrance or emergent surface of the prism system for the purpose of correcting the image aberrations.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong Q Nguyen whose telephone number is (571) 272-2316. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew A Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thong Q Nguyen

Application/Control Number: 10/781,776

Page 7

Art Unit: 2872

Primary Examiner
Art Unit 2872
